

EXHIBIT 40
FILED UNDER SEAL

<p style="text-align: right;">Page 6</p> <p>1 San Francisco, California; Tuesday, August 24, 2010</p> <p>2 10:28 a.m. - 1:32 p.m.</p> <p>3 ---</p> <p>4 THE VIDEOGRAPHER: Good morning. My name</p> <p>5 is Adam Del Rio, your videographer, and I represent</p> <p>6 Affinity Court Reporters in Burbank, California here</p> <p>7 on behalf of SiteLogic. The date is August 24,</p> <p>8 2010. The time is approximately 10:28 a.m. This</p> <p>9 deposition is being held at Three Embarcadero Center</p> <p>10 on the 28th Floor in the City of San Francisco,</p> <p>11 California. This case is numbered</p> <p>12 2:10-CV-0106-LRH-PAL, entitled Oracle, U.S.A.,</p> <p>13 Incorporated, et al. vs Rimini Street, Incorporated,</p> <p>14 et al.</p> <p>15 This deposition is being taken on behalf</p> <p>16 of plaintiff. The deponent today is Mr. Brian</p> <p>17 Slepko. This is Volume I, Tape I. The court</p> <p>18 reporter today is Lana Loper with Affinity Court</p> <p>19 Reporting (sic). Counsel and all parties present</p> <p>20 will now introduce themselves for the record</p> <p>21 starting with the questioning attorney, please.</p> <p>22 MR. RINGGENBERG: Kieran Ringgenberg,</p> <p>23 Boies, Schiller & Flexner for the plaintiffs.</p> <p>24 MR. RECKERS: Rob Reckers, Shook Hardy &</p> <p>25 Bacon for Defendant Rimini Street. With me is</p>	<p style="text-align: right;">Page 8</p> <p>1 I'm going to ask you questions. It's</p> <p>2 important you answer them verbally, rather than a</p> <p>3 shake of the head or vague words like "uh-huh" or</p> <p>4 "huh-uh," which look very similar on the page. Is</p> <p>5 that fair?</p> <p>6 A Yes.</p> <p>7 Q If at any point you don't understand my</p> <p>8 question, please let me know and I'll do my best to</p> <p>9 rephrase it. Is that okay?</p> <p>10 A Yes.</p> <p>11 Q If you need to take a break, just let me</p> <p>12 know and we'll try to take one after you have</p> <p>13 answered the current pending question.</p> <p>14 Do you work at Rimini Street?</p> <p>15 A Yes, I do.</p> <p>16 Q What's your title?</p> <p>17 A My title is senior vice president global</p> <p>18 operations.</p> <p>19 Q How long have you been there?</p> <p>20 A Almost three years now.</p> <p>21 Q Has your title been the same the whole</p> <p>22 time?</p> <p>23 A It has.</p> <p>24 Q What did you do previous?</p> <p>25 A I was with a company called Agile</p>
<p style="text-align: right;">Page 7</p> <p>1 Christopher Pickett, house counsel for Rimini</p> <p>2 Street.</p> <p>3 THE VIDEOGRAPHER: Thank you. Would the</p> <p>4 court reporter please swear in our witness and we</p> <p>5 may proceed.</p> <p>6 BRIAN SLEPKO,</p> <p>7 having been first administered an</p> <p>8 oath in accordance with CCP Section</p> <p>9 2094, was examined and testified as</p> <p>10 follows:</p> <p>11 EXAMINATION</p> <p>12 BY MR. RINGGENBERG:</p> <p>13 Q Good morning, sir. Could you please state</p> <p>14 your name for the record?</p> <p>15 A Sure. Brian Slepko.</p> <p>16 Q What's your business address?</p> <p>17 A 6601 Koll Center Parkway. That's K-o-l-l,</p> <p>18 in Pleasanton, California.</p> <p>19 Q Thank you. Have you participated in a</p> <p>20 deposition before?</p> <p>21 A I have not.</p> <p>22 Q I'm sure your attorneys have briefed you.</p> <p>23 Let me just give you a few ground rules so that</p> <p>24 we're on the same page, as we go through the</p> <p>25 process.</p>	<p style="text-align: right;">Page 9</p> <p>1 software.</p> <p>2 Q What did you do there?</p> <p>3 A I was the vice president of maintenance</p> <p>4 revenue.</p> <p>5 Q And can you describe, in general terms,</p> <p>6 what your current responsibilities are?</p> <p>7 A My current responsibilities with Rimini</p> <p>8 Street are to provide the service for our clients,</p> <p>9 including, support, development and tax and</p> <p>10 regulatory scoping.</p> <p>11 Q And how many people report to you</p> <p>12 directly?</p> <p>13 A I believe that there's eight.</p> <p>14 Q You report in turn to Mr. Ravin. Is that</p> <p>15 right?</p> <p>16 A That's correct.</p> <p>17 Q You sit on the operating committee, is</p> <p>18 that right? Or strike that.</p> <p>19 The group of folks who report to</p> <p>20 Mr. Ravin, y'all have a name as a group?</p> <p>21 A Yes, we do.</p> <p>22 Q What is that?</p> <p>23 A Operating committee.</p> <p>24 (Plaintiffs' Exhibit 1 was marked</p> <p>25 for identification.)</p>

Page 34		Page 36	
1	Redacted	1	Redacted
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
Page 35		Page 37	
1	Redacted	1	Redacted
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

Page 54		Page 56	
1	Redacted	1	Redacted
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
Page 55		Page 57	
1	Redacted	1	Redacted
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

Page 58		Page 60	
1	Redacted	1	Redacted
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
Page 59		Page 61	
1	Redacted	1	Redacted
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

1 IN WITNESS WHEREOF, I have subscribed my name
2 this 9th day of September, 2010.

3
4 Lana L. Loper

5 LANA L. LOPER, RMR, CRR, CCP, CME, CLR CCR CSR 9667
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25